

Serial No. 10/729,304
Reply to July 1, 2005 Office Action

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Docket No. 1232-5219

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

Claim Status

Claims 1-6 are pending in this application, of which claim 1 is independent in form. Claims 1-3, 5, and 6 are rejected. Claim 4 is objected to. Claim 1 is amended herein. No new matter has been added by this amendment.

Claim Rejections – 35 U.S.C. § 102

1. Claims 1 and 5-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,250,957 to Onozato ("Onozato"). Applicants respectfully traverse this rejection.

The Examiner asserts that FIG. 4 of Onozato discloses an ink tank comprising: an ink containing portion (10) for containing ink; an ink lead-out portion (16, 17) for leading out ink in said ink containing portion (10) to the outside; and an electrode inlet portion (24) for inletting an electrode (25) into said ink containing portion, said electrode inlet portion being different from said ink lead-out portion (16, 17), wherein said ink lead-out portion and said electrode inlet portion are connected through a conductive member (14, 23, 27, 29). July 1, 2005 Office Action at 2-3. Applicants respectfully disagree with the Examiner's characterization of Onozato.

Onozato discloses a metal plate 14, a rubber plug 16, a thin film 17, a leaf spring 23, a plug member 24, an electrode pin 25, a transistor 27, and a comparator 29. However, Onozato fails to disclose an ink tank comprising: an ink containing portion, an ink lead-out portion, and an electrode inlet portion, "wherein said ink lead-out portion and said electrode inlet

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portion are *continuously* connected through a conductive member” as required by independent claim 1. That is, the metal plate 14, the leaf spring 23, the transistor 27, and the comparator 29 disclosed by Onozato are not “a conductive member” (emphasis added) that continuously connects the ink lead-out portion and electrode inlet, as disclosed by Applicants. That is, the metal plate 14, the leaf spring 23, the transistor 27, and the comparator 29 disclosed by Onozato are a plurality of members; and no single one of these components continuously connects an ink lead-out portion and said and electrode inlet portion, as required by independent claim 1.

Applicants refer the Examiner to the Specification at page 6, line 16 to page 7, line 2 and at page 7, lines 6-24, for a discussion of film 120, which is coated with a conductive substance to form a conductive member. Onozato fails to disclose, teach or suggest such a conductive member as recited by independent claim 1.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection applied to independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by Onozato.

2. Claims 1-3 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by DE Pat. GM 80 23 471 to Siemens AG (“Siemens AG”). Applicants respectfully traverse this rejection.

The Examiner asserts that FIGS. 3-4 of Siemens AG discloses an ink tank comprising: an ink containing portion (2) for containing ink; an ink lead-out portion (6) for leading out ink in said ink containing portion (2) to the outside; and an electrode inlet portion (11) for inletting an electrode (7) into said ink containing portion, said electrode inlet portion being different from said ink lead-out portion (6), wherein said ink lead-out portion and said

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electrode inlet portion are connected through a conductive member (8). July 1, 2005 Office Action dated at 3. Applicants respectfully disagree with the Examiner's characterization of Siemens AG.

The Examiner has failed to provide a translation of any relevant section that describes the elements of FIGS. 3-4. The translation of the Abstract provided by the Examiner does not identify reference number 8, which the Examiner argues is the "conductive member" recited in claim 1. As understood by Applicants, FIG. 3 of Siemens AG discloses an ink supply tank 1, ink conduit 4, contacts 8, ring electrode 11, and metallic ball 12. It appears that the ink conduit 4 is arranged at the center of the ring electrode 11; and when the ink is low, the metallic ball provides an electrical connection between the ink conduit 4 and the ring electrode 11.

However, there is no electrical connection between ink conduit 4 and ring electrode 11, when there is ink in the ink supply tank 1. That is, the connection is not continuous as required by claim 1. Thus, Siemens AG fails to disclose an ink tank comprising: an ink containing portion, an ink lead-out portion, and an electrode inlet portion, "wherein said ink lead-out portion and said electrode inlet portion are continuously connected through a conductive member" as required by independent claim 1.

Accordingly, Applicants respectfully request reconsideration withdrawal of the rejection applied to independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by Siemens AG.

Dependent Claims

Applicants do not believe it necessary at this time to address the rejections of the dependent claims as Applicants believe that the foregoing places independent claim 1 in

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condition for allowance. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit that the claims as presented herein define patentable subject matter and respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. The Examiner is invited to contact the undersigned at the number provided below should a telephone conference be useful or necessary.

AUTHORIZATION

No fees or extensions of time are believed necessary. However, in the event that an extension of time is required to render this response timely, such extension is hereby petitioned and the Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-5219.

Respectfully submitted,
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